

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GEORGE WILLIE BUFORD,	:	Civil No. 1:19-CV-00377
	:	
Plaintiff,	:	
	:	
v.	:	Judge Jennifer P. Wilson
	:	
GENE BEASLEY, <i>et al.</i> ,	:	
	:	
Defendants.	:	Magistrate Judge Karoline Mehalchick

**ORDER**

Before the court is the report and recommendation of United States Magistrate Judge Karoline Mehalchick recommending that Plaintiff’s “voluntary withdrawal” be construed as a notice of voluntary dismissal, that this action be dismissed without prejudice, and that Plaintiff’s application to proceed *in forma pauperis* be denied as moot. (Doc. 21.) No party has filed objections to the report and recommendation, resulting in the forfeiture of de novo review by this court. *Nara v. Frank*, 488 F.3d 187, 194 (3d Cir. 2007) (citing *Henderson v. Carlson*, 812 F.2d 874, 878–79 (3d Cir. 1987)).

Following an independent review of the report and record, and affording “reasoned consideration” to the uncontested portions of the report, *EEOC v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (quoting *Henderson*, 812 F.2d at 879), to “satisfy [the court] that there is no clear error on the face of the record,” Fed. R. Civ. P. 72(b), advisory committee notes, the court finds that Judge

Mehalchick's analysis is well-reasoned and fully supported by the record and applicable law. Accordingly, **IT IS ORDERED THAT:**

- 1) The report and recommendation, Doc. 21, is **ADOPTED** in its entirety;
- 2) Plaintiff's August 26, 2019 submission styled "voluntary withdrawal," Doc. 19, shall be construed as a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i);
- 3) This action is **DISMISSED WITHOUT PREJUDICE** at Plaintiff's request pursuant to Federal Rule of Civil Procedure 41(a)(1);
- 4) Plaintiff's pending application for leave to proceed *in forma pauperis*, Doc. 6, is **DENIED AS MOOT**; and
- 5) The Clerk of Court is directed to close this case.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Court Judge  
Middle District of Pennsylvania

Dated: June 23, 2020